

17

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

D-1, NOEL EISLEY,  
D-2, TERRY KOVAC,  
D-3, BRET W. MASSEY,  
D-4, FELIPE DOMINGUEZ-MEIJA,  
D-5, WILLIAM T. PHILLIPS,  
D-6, ERIC JAMES ROBINSON,

Defendants.

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Case:2:17-cr-20632

Judge: Murphy, Stephen J.

MJ: Grand, David R.

Filed: 09-21-2017 At 03:53 PM

INDI USA VS. EISLEY, ET AL. (DP)

VIOL: 18 U.S.C. § 2252A(g)

18 U.S.C. § 2251(a)

18 U.S.C. § 2251(e)

18 U.S.C. § 2422(b)

18 U.S.C. § 2252A(a)(2)

18 U.S.C. § 2252A(b)(1)

18 U.S.C. § 2253

18 U.S.C. § 2

18 U.S.C. § 2252A(a)(5)(B)

18 U.S.C. § 2252A(b)(2)

## INDICTMENT

### THE GRAND JURY CHARGES:

At all times in this Indictment:

1. Minor Victim 8 (hereinafter "MV-8") was a resident of the Northern District of Georgia and was a girl under the age of 18.
2. Minor Victim 10 (hereinafter "MV-10") was a resident of the Northern District of Georgia and was a girl under the age of 18.
3. Minor Victim 12 (hereinafter "MV-12") was a resident of the Eastern District of Michigan and was a girl under the age of 18.
4. Minor Victim 13 (hereinafter "MV-13") was a resident of the Eastern District of Michigan and was a girl under the age of 18.
5. Minor Victim 16 (hereinafter "MV-16") was a resident of the Eastern District of Michigan and was a girl under the age of 18.
6. Minor Victim 18 (hereinafter "MV-18") was a resident of Canada and was a girl under the age of 18.
7. Minor Victim 19 (hereinafter "MV-19") was a resident of the Northern District of Georgia and was a girl under the age of 18.
8. During the time periods covered in this Indictment, starting as far back as December of 2014, NOEL EISLEY, TERRY KOVAC, BRET W. MASSEY, FELIPE DOMINGUEZ-MEIJA, WILLIAM T. PHILLIPS, and

ERIC JAMES ROBINSON, worked together in a group, with others both known and unknown to the Grand Jury, to convince and attempt to convince minor victims, both known and unknown to the Grand Jury, to engage in sexually explicit conduct, as defined in 18 U.S.C. § 2256(2), on webcam and to record this sexually explicit conduct. Specifically, NOEL EISLEY, TERRY KOVAC, BRET W. MASSEY, FELIPE DOMINGUEZ-MEIJA, WILLIAM T. PHILLIPS, and ERIC JAMES ROBINSON, and others both known and unknown to the Grand Jury, conspired together through chat discussions over the Internet to lure minor victims to one or more chatroom-based websites. Once the minor victims appeared in these chatroom-based websites, NOEL EISLEY, TERRY KOVAC, BRET W. MASSEY, FELIPE DOMINGUEZ-MEIJA, WILLIAM T. PHILLIPS, and ERIC JAMES ROBINSON, and others both known and unknown to the Grand Jury, enticed and attempted to entice the minor victims to engage in sexual acts, and to lasciviously display their genitals and pubic area, on webcam. NOEL EISLEY, TERRY KOVAC, BRET W. MASSEY, FELIPE DOMINGUEZ-MEIJA, WILLIAM T. PHILLIPS, and ERIC JAMES ROBINSON, and others both known and unknown to the Grand Jury, made recordings of this sexual activity and distributed the recordings to one another and to others both known and unknown to the Grand Jury.

COUNT ONE

(Child Exploitation Enterprise, 18 U.S.C. § 2252A(g))

D-1, NOEL EISLEY,  
D-2, TERRY KOVAC,  
D-3, BRET W. MASSEY  
D-4, FELIPE DOMINGUEZ-MEIJA  
D-5, WILLIAM T. PHILLIPS  
D-6, ERIC JAMES ROBINSON

Paragraphs 1-8 of this Indictment are hereby incorporated by reference.

Between the dates of December 1, 2014 and August of 2017, in the Eastern District of Michigan, and elsewhere, the defendants, NOEL EISLEY, TERRY KOVAC, BRET W. MASSEY, FELIPE DOMINGUEZ-MEIJA, WILLIAM T. PHILLIPS, and ERIC JAMES ROBINSON, and others both known and unknown to the Grand Jury, knowingly engaged in a child exploitation enterprise by violating Chapters 110 and 117 of Title 18 of the United States Code (specifically 18 U.S.C § 2251, 18 U.S.C § 2422(b), and 18 U.S.C. § 2252A), as a part of a series of felony violations constituting three or more separate incidents and involving more than one minor victim, committing these offenses in concert with three or more other persons; all in violation of Title 18, United States Code, Section 2252A(g).

As part of this Count, the defendants, NOEL EISLEY, TERRY KOVAC, BRET W. MASSEY, FELIPE DOMINGUEZ-MEIJA, WILLIAM T. PHILLIPS, and ERIC JAMES ROBINSON, and others both known and unknown to the Grand Jury, committed a series of felony violations. Some of these violations include the following:

	<b>DATE</b>	<b>MINOR VICTIM</b>	<b>PREDICATE FELONY OFFENSE</b>	<b>DEFENDANTS</b>
Predicate #1 (Count Three)	On or about June 2015 through September 2015	MV-16	Production and attempted production of child pornography, in violation of 18 U.S.C. § 2251(a), (e)	NOEL EISLEY TERRY KOVAC FELIPE DOMINGUEZ-MEIJA ERIC JAMES ROBINSON
Predicate #2 (Count Four)	On or about June 2015 through September 2015	MV-16	Online enticement, in violation of 18 U.S.C. § 2422(b)	NOEL EISLEY TERRY KOVAC FELIPE DOMINGUEZ-MEIJA ERIC JAMES ROBINSON
Predicate #3 (Count Five)	On or about October 2016 through February 2017	MV-13	Production and attempted production of child pornography, in violation of 18 U.S.C. § 2251(a), (e)	TERRY KOVAC BRET W. MASSEY FELIPE DOMINGUEZ-MEIJA WILLIAM T. PHILLIPS
Predicate #4 (Count Six)	On or about October 2016 through February 2017	MV-13	Online enticement, in violation of 18 U.S.C. § 2422(b)	TERRY KOVAC BRET W. MASSEY FELIPE DOMINGUEZ-MEIJA WILLIAM T. PHILLIPS
Predicate #5 (Count Seven)	On or about August 2016 through March 2017	MV-12	Production and attempted production of child pornography, in violation of 18 U.S.C. § 2251(a), (e)	BRET W. MASSEY WILLIAM T. PHILLIPS
Predicate #6 (Count Eight)	On or about August 2016	MV-12	Online enticement, in violation of 18 U.S.C. § 2422(b)	BRET W. MASSEY WILLIAM T. PHILLIPS

	through March 2017			
Predicate #7	On or about December 2014 through August 2017	MV-18	Production and attempted production of child pornography, in violation of 18 U.S.C. § 2251(a), (e)	NOEL EISLEY TERRY KOVAC BRET W. MASSEY FELIPE DOMINGUEZ-MEIJA ERIC JAMES ROBINSON
Predicate #8	On or about December 2014 through August 2017	MV-18	Online enticement, in violation of 18 U.S.C. § 2422(b)	NOEL EISLEY TERRY KOVAC BRET W. MASSEY FELIPE DOMINGUEZ-MEIJA ERIC JAMES ROBINSON
Predicate #9	On or about January 2016 through May 2017	MV-8	Production and attempted production of child pornography, in violation of 18 U.S.C. § 2251(a), (e)	TERRY KOVAC BRET W. MASSEY FELIPE DOMINGUEZ-MEIJA WILLIAM T. PHILLIPS ERIC JAMES ROBINSON
Predicate #10	On or about January 2016 through May 2017	MV-8	Online enticement, in violation of 18 U.S.C. § 2422(b)	TERRY KOVAC BRET W. MASSEY FELIPE DOMINGUEZ-MEIJA WILLIAM T. PHILLIPS ERIC JAMES ROBINSON
Predicate #11	On or about January 2016 through March 2017	MV-10	Production and attempted production of child pornography, in violation of 18 U.S.C. § 2251(a), (e)	NOEL EISLEY TERRY KOVAC BRET W. MASSEY FELIPE DOMINGUEZ-MEIJA ERIC JAMES ROBINSON
Predicate #12	On or about January 2016 through March 2017	MV-10	Online enticement, in violation of 18 U.S.C. § 2422(b)	NOEL EISLEY TERRY KOVAC BRET W. MASSEY FELIPE DOMINGUEZ-MEIJA ERIC JAMES ROBINSON

Predicate #13	On or about July 2016 through July 2017	MV-19	Production and attempted production of child pornography, in violation of 18 U.S.C. § 2251(a), (e)	TERRY KOVAC BRET W. MASSEY FELIPE DOMINGUEZ-MEIJA WILLIAM T. PHILLIPS
Predicate #14	On or about July 2016 through July 2017	MV-19	Online enticement, in violation of 18 U.S.C. § 2422(b)	TERRY KOVAC BRET W. MASSEY FELIPE DOMINGUEZ-MEIJA WILLIAM T. PHILLIPS
Predicate #15 (Count Two)	Between the dates of December 1, 2014 and August of 2017		Conspiracy to produce child pornography, in violation of 18 U.S.C. § 2251(a), (e)	NOEL EISLEY TERRY KOVAC BRET W. MASSEY FELIPE DOMINGUEZ-MEIJA WILLIAM T. PHILLIPS ERIC JAMES ROBINSON
Predicate #16	Between the dates of December 1, 2014 and August of 2017		Conspiracy to distribute child pornography, in violation of 18 U.S.C. § 2252A(a)(2), (b)(1)	NOEL EISLEY TERRY KOVAC BRET W. MASSEY FELIPE DOMINGUEZ-MEIJA WILLIAM T. PHILLIPS ERIC JAMES ROBINSON
Predicate #17	Between the dates of December 1, 2014 and August of 2017		Conspiracy to access with intent to view child pornography, in violation of 18 U.S.C. § 2252A(a)(5)(B), (b)(2)	NOEL EISLEY TERRY KOVAC BRET W. MASSEY FELIPE DOMINGUEZ-MEIJA WILLIAM T. PHILLIPS ERIC JAMES ROBINSON

COUNT TWO

(Conspiracy to Produce Child Pornography, 18 U.S.C §§ 2251(a), 2251(e))

D-1, NOEL EISLEY

D-2, TERRY KOVAC

D-3, BRET W. MASSEY

D-4, FELIPE DOMINGUEZ-MEIJA

D-5, WILLIAM T. PHILLIPS

D-6, ERIC JAMES ROBINSON

Between the dates of December 1, 2014 and August of 2017, in the Eastern District of Michigan, and elsewhere, the defendants, NOEL EISLEY, TERRY KOVAC, BRET W. MASSEY, FELIPE DOMINGUEZ-MEIJA, WILLIAM T. PHILLIPS, and ERIC JAMES ROBINSON, did combine, conspire, confederate, and agree together and with others both known and unknown to the Grand Jury, to knowingly employ, use, persuade, induce, entice, and coerce one or more minors to engage in sexually explicit conduct as defined in 18 U.S.C. § 2256(2), for the purpose of producing any visual depiction of such conduct and transmitting a live visual depiction of such conduct, knowing and having reason to know that such visual depiction would be transported and transmitted using any means and facility of interstate and foreign commerce, and in and affecting interstate and foreign commerce; such visual depiction was produced and transmitted using materials that have been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer; and such visual depiction was transported and transmitted using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce; all in violation of Title 18, United States Code, Sections 2251(a), (e).



COUNT THREE

(Production of Child Pornography, 18 U.S.C. §§ 2, 2251(a))

D-1, NOEL EISLEY

D-2, TERRY KOVAC

D-4, FELIPE DOMINGUEZ-MEIJA

D-6, ERIC JAMES ROBINSON

On or about June 2015 through September 2015, in the Eastern District of Michigan, and elsewhere, the defendants, NOEL EISLEY, TERRY KOVAC, FELIPE DOMINGUEZ-MEIJA, and ERIC JAMES ROBINSON, and others both known and unknown to the Grand Jury, attempted to and did knowingly employ, use, persuade, induce, entice, and coerce a minor, to wit: MV-16, to engage in sexually explicit conduct, as defined in 18 U.S.C. § 2256(2), for the purpose of producing any visual depiction of such conduct and transmitting a live visual depiction of such conduct, knowing and having reason to know that such visual depiction would be transported and transmitted using any means and facility of interstate and foreign commerce, and in and affecting interstate and foreign commerce; such visual depiction was produced and transmitted using materials that have been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer; and such visual depiction was transported and transmitted using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce; all in violation of Title 18, United States Code, Sections 2, 2251(a), (e).

COUNT FOUR

(Coercion and Enticement of a Minor 18 U.S.C. §§ 2, 2422(b)).

D-1, NOEL EISLEY

D-2, TERRY KOVAC

D-4, FELIPE DOMINGUEZ-MEIJA

D-6, ERIC JAMES ROBINSON

On or about June 2015 through September 2015, in the Eastern District of Michigan and elsewhere, the defendants, NOEL EISLEY, TERRY KOVAC, FELIPE DOMINGUEZ-MEIJA, and ERIC JAMES ROBINSON, and others both known and unknown to the Grand Jury, did knowingly use a facility and means of interstate and foreign commerce (to wit: the Internet) to persuade, induce, entice and coerce a person who had not attained the age of 18 years (to wit: MV-16) to engage in any sexual activity for which any person could be charged with a criminal offense, including but not limited to the production of child pornography as described in 18 U.S.C. § 2256(8), all in violation of Title 18, United States Code, Sections 2, 2422(b).

COUNT FIVE

(Production of Child Pornography, 18 U.S.C. §§ 2, 2251(a))

D-2, TERRY KOVAC

D-3, BRET W. MASSEY

D-4, FELIPE DOMINGUEZ-MEIJA

D-5, WILLIAM T. PHILLIPS

On or about October 2016 through February 2017, in the Eastern District of Michigan, and elsewhere, the defendants, TERRY KOVAC, BRET W. MASSEY, FELIPE DOMINGUEZ-MEIJA, and WILLIAM T. PHILLIPS, and others both known and unknown to the Grand Jury, attempted to and did knowingly employ, use, persuade, induce, entice, and coerce a minor, to wit: MV-13, to engage in sexually explicit conduct, as defined in 18 U.S.C. § 2256(2), for the purpose of producing any visual depiction of such conduct and transmitting a live visual depiction of such conduct, knowing and having reason to know that such visual depiction would be transported and transmitted using any means and facility of interstate and foreign commerce, and in and affecting interstate and foreign commerce; such visual depiction was produced and transmitted using materials that have been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer; and such visual depiction was transported and transmitted using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce; all in violation of Title 18, United States Code, Sections 2, 2251(a), (e).

COUNT SIX

(Coercion and Enticement of a Minor 18 U.S.C. §§ 2, 2422(b)).

D-2, TERRY KOVAC

D-3, BRET W. MASSEY

D-4, FELIPE DOMINGUEZ-MEIJA

D-5, WILLIAM T. PHILLIPS

On or about October 2016 through February 2017, in the Eastern District of Michigan and elsewhere, the defendants, TERRY KOVAC, BRET W. MASSEY, FELIPE DOMINGUEZ-MEIJA, and WILLIAM T. PHILLIPS, and others both known and unknown to the Grand Jury, did knowingly use a facility and means of interstate and foreign commerce (to wit: the Internet) to persuade, induce, entice and coerce a person who had not attained the age of 18 years (to wit: MV-13) to engage in any sexual activity for which any person could be charged with a criminal offense, including but not limited to the production of child pornography as described in 18 U.S.C. § 2256(8), all in violation of Title 18, United States Code, Sections 2, 2422(b).

COUNT SEVEN

(Production of Child Pornography, 18 U.S.C. §§ 2, 2251(a))

D-3, BRET W. MASSEY

D-5, WILLIAM T. PHILLIPS

On or about August 2016 through March 2017, in the Eastern District of Michigan, and elsewhere, the defendants, BRET W. MASSEY and WILLIAM T. PHILLIPS, and others both known and unknown to the Grand Jury, attempted to and did knowingly employ, use, persuade, induce, entice, and coerce a minor, to wit: MV-12, to engage in sexually explicit conduct, as defined in 18 U.S.C. § 2256(2), for the purpose of producing any visual depiction of such conduct and transmitting a live visual depiction of such conduct, knowing and having reason to know that such visual depiction would be transported and transmitted using any means and facility of interstate and foreign commerce, and in and affecting interstate and foreign commerce; such visual depiction was produced and transmitted using materials that have been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer; and such visual depiction was transported and transmitted using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce; all in violation of Title 18, United States Code, Sections 2, 2251(a), (e).

COUNT EIGHT

(Coercion and Enticement of a Minor 18 U.S.C. §§ 2, 2422(b)).

D-3, BRET W. MASSEY

D-5, WILLIAM T. PHILLIPS

On or about August 2016 through March 2017, in the Eastern District of Michigan and elsewhere, the defendants, BRET W. MASSEY and WILLIAM T. PHILLIPS, and others both known and unknown to the Grand Jury, did knowingly use a facility and means of interstate and foreign commerce (to wit: the Internet) to persuade, induce, entice and coerce a person who had not attained the age of 18 years (to wit: MV-12) to engage in any sexual activity for which any person could be charged with a criminal offense, including but not limited to the production of child pornography as described in 18 U.S.C. § 2256(8), all in violation of Title 18, United States Code, Sections 2, 2422(b).

FORFEITURE ALLEGATION

1. The allegations of this Indictment are re-alleged as if fully set forth here, for the purpose of alleging forfeiture, pursuant to Title 18, United States Code, Section 2253 and Title 18, United States Code, Section 2428.

2. If convicted of an offense charged and set forth above, NOEL EISLEY, TERRY KOVAC, BRET W. MASSEY, FELIPE DOMINGUEZ-MEIJIA, WILLIAM T. PHILLIPS, and ERIC JAMES ROBINSON, shall forfeit to the United States any and all materials and property used and intended to be used in the distribution, possession, and transportation of visual depictions of minors engaging in sexually explicit conduct, and any and all property, real or personal, constituting or traceable to gross profits or other proceeds obtained from the offense.

DANIEL L. LEMISCH  
Acting United States Attorney

s/ Matthew A. Roth  
MATTHEW A. ROTH  
Assistant United States Attorney  
Chief, General Crimes Unit  
211 W. Fort Street, Suite 2001  
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Dated: September 21, 2017

THIS IS A TRUE BILL.

s/ Grand Jury Foreperson  
GRAND JURY FOREPERSON

s/ April N. Russo  
KEVIN M. MULCAHY  
APRIL N. RUSSO  
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ORIGINAL

United States District Court  
Eastern District of Michigan

## Criminal Case Cover Sheet

Case Number

NOTE: It is the responsibility of the Assistant U.S. Attorney signing this form to complete it accurately in all respects.

## Companion Case Information

Companion Case Number:

This may be a companion case based upon LCrR 57.10 (b)(4)<sup>1</sup>:

Judge Assigned:

☐ Yes☒ No

AUSA's Initials:

ar

Case Title: USA v. Noel Eisley, et al.,County where offense occurred : Wayne, Oakland and elsewhereCheck One: ☒ Felony☐ Misdemeanor☐ Petty☐ Indictment/ ☐ Information --- no prior complaint.☒ Indictment/ ☐ Information --- based upon prior complaint [Case number: see attached list\* ]☐ Indictment/ ☐ Information --- based upon LCrR 57.10 (d) [Complete Superseding section below].

## Superseding Case Information


Superseding to Case No: \_\_\_\_\_ Judge: \_\_\_\_\_

☐ Corrects errors; no additional charges or defendants.☐ Involves, for plea purposes, different charges or adds counts.☐ Embraces same subject matter but adds the additional defendants or charges below:Defendant nameChargesPrior Complaint (if applicable)

Please take notice that the below listed Assistant United States Attorney is the attorney of record for the above captioned case.

September 21, 2017

Date

  
 APRIL N. RUSSO  
 Assistant United States Attorney  
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<sup>1</sup> Companion cases are matters in which it appears that (1) substantially similar evidence will be offered at trial, or (2) the same or related parties are present, and the cases arise out of the same transaction or occurrence. Cases may be companion cases even though one of them may have already been terminated.



United States District Court  
Eastern District of Michigan

**Criminal Case Cover Sheet**

**Page 2 of 2**

Names:

Complaint Numbers:

D-1 Noel Eisley	17-30377
D-2 Terry Kovac	17-30378
D-3 Bret W. Massey	17-30175
D-4 Felipe Dominguez-Meija	17-30375
D-5 William T. Phillips	17-30366
D-6 Eric James Robinson	17-30408